

# **EXHIBIT A**



## DEPARTMENT OF FORESTRY AND FIRE PROTECTION

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December 16, 2020

Mr. Tim Lucey  
Pacific Gas and Electric  
PO Box 7442  
San Francisco, CA  
94120-7442

Re: 2020 Zogg Fire

Dear Mr. Lucey,

CAL FIRE received your December 1, 2020 communication requesting that CAL FIRE respond to two questions posed by Judge Alsup in PG&E's ongoing probation and that CAL FIRE provide PG&E access to physical evidence collected by CAL FIRE in its investigation of the Zogg Fire.

As you are likely aware, CAL FIRE treats all wildland fire origin and cause investigations as criminal investigations unless and until the investigation is concluded and no criminal violation is indicated or apparent. CAL FIRE is treating the Zogg Fire in the same manner. This is not to say that CAL FIRE has made any conclusion as to whether the Zogg Fire resulted from potential criminal violations. CAL FIRE's policy is motivated simply by the reality that if an investigation is not treated as a criminal investigation from its inception, steps taken during the investigation may prejudice future criminal prosecution if the investigation does later uncover criminal violations. On the other hand, treating an investigation as a criminal investigation until satisfied there were no criminal violations does not prejudice potential future civil or other actions.

Accordingly, CAL FIRE is not willing to allow PG&E, or any other party, access to physical evidence until the investigation is complete and the Shasta County District Attorney has made a determination as to whether criminal charges will be filed. CAL FIRE also will not comment on any aspect of its investigation, including any evidence seized. CAL FIRE continues to pursue its investigation into the Zogg Fire, which began roughly two and a half months ago. This is not an unreasonable amount of time to conduct an investigation of a fire of this size and complexity. To further CAL FIRE's investigation, CAL FIRE requests, in addition to its past information requests, the following:

- Work orders, maintenance records and inspections records specifically related to the tree of interest and its surrounding area.
- Any information/data PG&E has in the area of the tree of interest obtained from Hyperspectral Imaging or Electrical Overhead Tag work.
- The ArcGIS and Collector data referenced in PG&E's latest response to Judge Alsup. We would like these layers as well as periodic updates to them.

Lucey Letter

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Out of respect for Judge Alsup, CAL FIRE is considering providing responses to his two questions directly to the Court.

Sincerely,

A handwritten signature in cursive script that reads "Bruce A. Crane". The signature is written in dark ink and is positioned above the printed name and title.

Bruce A. Crane  
Chief Counsel  
CAL FIRE